

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

fee paid  
\$2500  
#60769

In re VEECO INSTRUMENTS, INC. : MDL No.: 7:05-md-1695 (CM)

SECURITIES LITIGATION :

x

THIS DOCUMENT RELATES TO : NOTICE OF MOTION TO ADMIT  
ALL ACTIONS : COUNSEL PRO HAC VICE

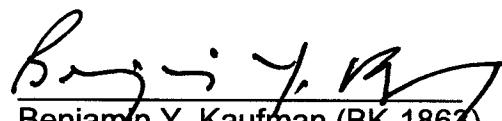
x

**TO: ALL PARTIES AND THEIR COUNSEL OF RECORD**

**PLEASE TAKE NOTICE** that upon the annexed affidavit of Benjamin Y.

Kaufman, Esquire dated October 12, 2005, the undersigned will move this Court, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an Order allowing Phyllis M. Parker to appear as counsel on behalf of plaintiff Steelworkers Pension Trust *Pro Hac Vice* for all purposes in this proceeding.

DATED: October 12, 2005



Benjamin Y. Kaufman (BK-1862)  
MILBERG WEISS BERSHAD  
& SCHULMAN LLP  
One Pennsylvania Plaza  
New York, New York 10119  
(212) 594-5300  
(212) 868-1229

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
In re VEECO INSTRUMENTS, INC. : MDL No.: 7:05-md-1695 (CM)  
SECURITIES LITIGATION :  
-----x  
-----x  
THIS DOCUMENT RELATES TO : **AFFIDAVIT OF BENJAMIN Y. KAUFMAN**  
ALL ACTIONS : **IN SUPPORT OF MOTION TO**  
: **TO ADMIT COUNSEL PRO HAC VICE**  
-----x

STATE OF NEW YORK )  
                      )  
                      ) ss:  
COUNTY OF NEW YORK )

I, Benjamin Y. Kaufman, being duly sworn, deposes and says:

1. I am local counsel for the plaintiff Steelworkers Pension Trust, and am a member in good standing of the bar of this Court. I submit this affidavit in support of the motion of the plaintiff Steelworkers Pension Trust that Phyllis M. Parker be permitted to appear, together with myself, as counsel on behalf of plaintiff Steelworkers Pension Trust *Pro Hac Vice* for all purposes in this action, including, but not limited to, conferences, pleadings, motion practice, arguments and trial.

2. I am informed and believe that Phyllis M. Parker is a member in good standing of the bar of Pennsylvania. Phyllis M. Parker is a senior associate of Berger & Montague, P.C. which has its office at 1622 Locust Street, Philadelphia, PA 19103-6365.

3. A letter of good standing from Pennsylvania, is annexed as Exhibit A.

4. It is my belief that the requirements of Local Civil Rule 1.3(c) of this Court are fully satisfied.

5. Accordingly, I respectfully request that the motion be granted and the Court sign the proposed order annexed as Exhibit B. The \$25.00 fee will be paid upon presentation of the order to the Clerk.



Benjamin Y. Kaufman (BK-1863)

Sworn to before me this  
12<sup>th</sup> day of October, 2005



\_\_\_\_\_  
Notary Public

DAVID B. MANNO  
Notary Public, State Of New York  
No. 02MA6006236  
Qualified In Queens County  
Commission Expires April 27, 2006

# Exhibit A

**CERTIFICATE OF GOOD STANDING**

UNITED STATES OF AMERICA

EASTERN DISTRICT OF PENNSYLVANIA }

I, Michael E. Kunz, Clerk of the United States District Court for the Eastern District of Pennsylvania,

DO HEREBY CERTIFY That Phyllis M. Parker, Bar # 77336, was duly admitted to practice in said Court on July 14, 1997, and is in good standing as a member of the bar of said Court.

DATED at Philadelphia, Pennsylvania

on October 6, 2005.

MICHAEL E. KUNZ

Clerk of Court

BY

  
Leesa B. Erickson

Deputy Clerk

# Exhibit B

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----  
In re VEECO INSTRUMENTS, INC. : X MDL No.: 7:05-md-1695-CM  
SECURITIES LITIGATION :  
-----  
-----  
THIS DOCUMENT RELATES TO: : X **ORDER OF ADMISSION TO PRACTICE  
ALL ACTIONS : PRO HAC VICE**  
-----  
-----X

The motion for admission to practice *Pro Hac Vice* in the above captioned matter is granted. The admitted attorney, Phyllis M. Parker, is permitted to argue or try this particular case in whole or in part as counsel.

Such attorney admitted to practice *Pro Hac Vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office within 10 business days.

This Order confirms her appearance as counsel in this case, and this Order will be entered on the Court's docket. A notation of this admission *Pro Hac Vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *Pro Hac Vice* must serve a copy of this Order on all other counsel in this case.

Dated: \_\_\_\_\_

---

United States District Judge

cc: *Pro Hac Vice Attorneys*  
Court File

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re VEECO INSTRUMENTS, INC. :  
SECURITIES LITIGATION :  
----- X

MDL No.: 7:05-md-1695-CM

THIS DOCUMENT RELATES TO: :  
ALL ACTIONS :  
----- X

**AFFIDAVIT OF PHYLLIS M. PARKER  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

Commonwealth of Pennsylvania )  
County of Philadelphia ) ss:

PHYLLIS M. PARKER, being duly sworn, hereby deposes and says:

1. I am an associate with the law firm of Berger & Montague, P.C.
2. I submit this affidavit in support of the motion for my admission to practice *Pro Hac Vice* in the above captioned matter.
3. As shown in the Certificate(s) of Good Standing annexed hereto, I am a member in good standing of the bars of the Commonwealth of Pennsylvania.
4. There are no pending disciplinary proceedings against me in any state or federal court.
5. Wherefore, I respectfully submit that I be permitted to appear as counsel and advocate *Pro Hac Vice* in this one case.



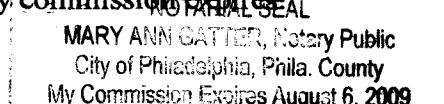
Phyllis M. Parker

Subscribed and sworn to before me  
this 3rd day of OCTOBER, 2005.



MARY ANN GATTER

Notary Public, Commonwealth of Pennsylvania  
My commission expires NOVEMBER 2009



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE VEECO INSTRUMENTS INC.  
SECURITIES LITIGATION

Case No. 7:05-md-1695 (CM)

**CERTIFICATE OF SERVICE**

I, Shannon McKenna, an associate of the law firm Milberg Weiss Bershad & Schulman, LLP, hereby certify that on October 12, 2005, I caused a copy of the attached Notice of Motion to Admit Pro Hac Vice to be served on the persons identified on the attached service list via regular U.S. Mail:



Shannon McKenna

**VEECO INSTRUMENTS, INC.**  
**SERVICE LIST**

***Counsel for Plaintiffs***

Jonathan M. Plasse, Esq.  
Christopher J. Keller, Esq.  
Shelly Thompson, Esq.  
**LABATON SUCHAROW RUDOFF & LLP**  
100 Park Avenue  
New York, NY 10017-5563  
Tel: (212) 907-0700  
Fax: (212) 818-0477

Evan J. Smith, Esq.  
Marc L. Ackerman, Esq.  
**BRODSKY & SMITH, LLC**  
240 Mineola Boulevard  
Mineola, NY 11501  
Tel: (516) 741-4977  
Fax: (610) 667-9029

Marc C. Gardy, Esq.  
**ABBEY GARDY, LLP**  
212 East 39<sup>th</sup> Street  
New York, NY 10016  
Tel: (212) 889-3700  
Fax: (212) 684-5191

Charles J. Piven, Esq.  
**LAW OFFICES OF CHARLES J. PIVEN, P.A.**  
The World Trade Center Baltimore  
Suite 2525  
401 East Pratt Street  
Baltimore, MD 21202  
Tel: (410) 332-0030  
Fax: (410) 685-1300

Eric J. Belfi, Esq.  
**MURRAY, FRANK & SAILOR LLP**  
275 Madison Avenue, 8<sup>th</sup> Floor  
New York, NY 10016  
Tel: (212) 682-1818  
Fax: (212) 682-1892

Marc A. Topaz, Esq.  
Richard A. Maniskas, Esq.  
**SCHIFFRIN & BARROWAY, LLP**  
280 King of Prussia Rd.  
Radnor, PA 19087  
Tel: (610) 667-7706  
Fax: (610) 617-7056

Samuel H. Rudman, Esq.  
David A. Rosenfeld, Esq.  
Mario Alba, Jr., Esq.  
**LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP**  
200 Broadhollow Road., Suite 406  
Melville, NY 11747  
Tel.: (631) 367-7100  
Fax: (631) 367-1173

Catherine A. Torell, Esq.  
**COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C.**  
150 East 52<sup>nd</sup> Street, 30<sup>th</sup> Floor  
New York, NY 10022-6017  
Tel: (212) 838-7797  
Fax: (212) 838-7745

Steven J. Toll, Esq.  
Daniel S. Sommers, Esq.  
Julie Goldsmith Reiser, Esq.  
**COHEN, MILSTEIN, HAUSFELD & TOLL,  
P.L.L.C.**  
1100 New York Avenue, N.W.  
West Tower, Suite 500  
Washington, D.C. 20005-3964  
Tel: (202) 408-4600  
Fax: (202) 408-4699

Brian M. Felgoise, Esq.  
**LAW OFFICES OF BRIAN M. FELGOISE, P.C.**  
261 Old York Road - Suite 423  
Jenkintown, PA 19046  
Tel: (215) 886-1900  
Fax: (215) 886-1909

Jules Brody, Esq.  
Aaron Brody, Esq.  
Tzvia Brody, Esq.  
**STULL, STULL & BRODY**  
6 East 45<sup>th</sup> Street  
New York, NY 10017  
Tel: (212) 687-7230  
Fax: (212) 490-2022

Curtis V. Trinko, Esq.  
**LAW OFFICES OF CURTIS V. TRINKO, LLP**  
16 West 46<sup>th</sup> Street, 7<sup>th</sup> Floor  
New York, NY 10036  
Tel: (212) 490-9550  
Fax: (212) 986-0158

Andrew M. Schatz, Esq.  
William Edward Bernarduci, Esq.  
**SCHATZ & NOBEL, P.C.**  
One Corporate Center  
20 Church Street  
Suite 1700  
Hartford, CT 06106  
Tel: (860) 493-6292  
Fax: (860) 493-6290

Fred T. Isquith, Esq.  
Christopher S. Hinton, Esq.  
**WOLF HALDENSTEIN ADLER FREEMAN &  
HERZ LLP**  
270 Madison Avenue, 11<sup>th</sup> Floor  
New York, NY 10016  
Tel: (212) 545-4600  
Fax: (212) 545-4653

Marc Henzel, Esq.  
**LAW OFFICES OF MARC HENZEL**  
273 Montgomery Avenue, Suite 202  
Bala Cynwd, PA 19004  
Tel: (610) 660-8000  
Fax: (610) 660-8080

Joseph H. Weiss, Esq.  
**WEISS & LURIE**  
551 Fifth Avenue  
New York, NY 10176  
Tel: (212) 682-3025  
Fax: (212) 682-3010

Alfred G. Yates, Esq.  
**LAW OFFICES OF ALFRED G. YATES, JR.**  
519 Allegheny Building  
429 Forbes Avenue  
Pittsburgh, PA 15219  
Tel: (412) 391-5164  
Fax: (412) 471-1033

***Counsel for Defendants***

Robert F. Serio, Esq.  
**GIBSON, DUNN & CRUTCHER LLP**  
200 Park Avenue, 47<sup>th</sup> Floor  
New York, NY 10166  
Tel: (212) 351-4000  
Fax: (212) 351-4035